BANKERS FAVOR TRYING BONDS IN NEW YORK

They Urge Importance of Establishing a Market in the Chief Money Center.

To make an effort to sell the Territorial bonds in New York at the outset is what will be done if Governor Dole adopts the views of the bankers at yesterday's conference with the Governor and heads of executive departments. Possibly Secretary Carter may be sent to Washington and New York to expedite the business.

An important result of the conference was that the initiative was taken by two of the capitalists present for relieving the Government of the prime difficulty of meeting the expenses of issuance and flotation of the bonds without an appropriation having been made by the Legislature for that purpose. Another outcome of the meeting may be a movement to induce Congress to amend the Organic Act with regard to its time limitations on public loans of this Territory.

Those taking part in the conference were Governor Dole, Treasurer Kepoikai, Secretary Carter, Superintendent of Public Works Cooper, and Auditor Fisher for the Government; Samuel M. Damon, senior partner of the banking house of Bishop & Co.; William G. Irwin, partner, and E. I. Spalding, manager, of the bank of Claus Spreckels & Co.; and C. M. Cooke, president of the Bank of Hawaii, Ltd.

TRY NEW YORK.

New York

It was better to try New York in the fall of the year. At different times in the year, the bankers said, they had funds at their disposal which they would like to put into Government bonds, but when it came round to the fall of the year and money became tighter they wanted securities which they could dispose of quickly,

If a market were established in New York and they could sell those bonds five years and payable in not again they would not be afraid to take than fifteen years from the da them. But under present conditions if they should take Territorial bonds and later want to dispose of them-there being no market in New York KONA AGAIN and nobody there knowing anythin about them-they would not answer the purposes of the local banks.

After establishing a market in New York, if the Government wished to float a few bonds here, the bankers would be willing to take them so that some public improvements could be carried out. Then, when it suited them, they could send the bonds to New York themselves and turn them into

MR. DAMON'S VIEWS.

Mr. Damon stated, as his experience with Government loans in the past, that it was very difficult to dispose of They were liable to be pigeonholed, to be put off for other things. He felt there was great need for money at present. No public improvements had been made for the past three years ments as could properly 'e made under a bond issue ought to be going on at this time.

SEND THE SECRETARY.

Valuable time was being wasted, Mr. Damon held, and he thou the someone ness. The best person to send he bewas Secretary should follow up the data forwarded for the President's information and reference to the Attorney General's department. Whoever went ought to call at that department and see that the matter was not side-tracked.

Then, whenever the President's action was known, the Territory's representative should proceed at once to New York and submit the question of legality of the bonds to some prominent attorney.

NEW YORK AGENCY. The next step would be to secure an

agency for the business and call for bids, both in New York and here. Meanwhile have the bonds printed agent ready for delivery on the acceptance of satisfactory bids. It would not be necessary, however, for the representative to stay in New York until the bids were opened, but merely long

enough to attend to the preliminary AID VOLUNTEERED.

The greatest difficulty with the whole question, Secretary Carter said, was to provide ways and means for the initial expenses. Messrs. Irwin and Cooke, for their banks, offered at the meeting to advance their pro rata for whatever expenses there might be and look to the next Legislature to reimburse them. It was hoped that the other banks would be willing to toin in this, so as to make the slightest possible draft on each.

FUNDAMENTAL DRAWBACK.

One of the drawbacks to placing the bonds is the shortness of their life under the restrictions of the Organic Act. Some of the bankers thought the dura- set for Monday, October 5th,

After the conference Secretary Geo. tion of the bonds was not sufficient to R. Carter gave a general account of have them easily placed. Yet even if the proceedings to an Advertiser re- the restriction proved to have the injurious effect feared, it would be a strong argument to go before Congress with and ask for a removal of that Mr. Carter said the consensus of restriction. "It would be well to show," opinion seemed to be that an a tempt Mr. Carter said, "that we had made a should be made to float the bends in strenuous attempt to sell the bends in New York and only failed on that ac-

count. RESTRICTIVE CLAUSE.

Act, which says regarding the issue of loan bonds by this Territory: "Nor shall any bond or other instrument of any such indebtedness be issued unless made redeemable in not more than than fifteen years from the date of the issue thereof."

IN TROUBLE

For a second time an effort is being made to reopen the Kona Sugar Co. case, and to set aside the order by which Judge Edings sold the property through a receiver, to a syndicate of Honolulu men for whom C. S. Hut-Co., which a few weeks ago filed a claim to the railroad material upon vesterday obtained a writ of error from the Supreme Court by which it unified. under any loan. In view of t'e short- is sought to set aside the order made age of current revenue, such improve- by Judge Edings for the appointment of a receiver, and for the sale of the property at public auction.

The defendants named in the writ of error filed yesterday, are R. W. Mcshould go to Washington in this bust- Chesney and J. McChesney, surviving partners in the co-partnership carry- gress, Prince Kalanianaole; Kelijaho-ing on business under the name of M. nul was their brother, and Poomaika W. McChesney & Sons, the Kona Sugar Co., Ltd., a corporation, F. L. Dortch, Receiver of the Kona Sugar iminanuao a sister of Liliuokalani, both the equity case of Kais and others vs. Trust Co. of Hawaii, Ltd., Kapiolani Estate, L. M. Waterhouse, J. D. Paris, Hannah J. Paris, Eliza Roy, W. H. Shipman, Mary E. Shipman, J. D. Johnson, W. H. Johnson and Caroline J. Robinson.

It is first alleged that Judge Edings erred in making the order for the sale and in the hands of the New York of the plantation, and in making the order of its own motion. It is further alleged that error was made in ordering the sale of all the property of the plantation, including its railroad equipment, locomotives and cars and in making any order of sale in said

> Further error is alleged in making the order without notification to the plaintiff in error The Bierce Co. and in not making said plaintiff a party to the suit. Further, that the property of plaintiff in error was then in litigation and was therefore wrongfully ordered to be sold. Also "That said Court erred in failing, in said order of April 20th, 1903, to except from said

> suit." 28

SCENE THAT WAS WEIRD AS TRADERS

Removal of Royal Estate of Store-Remains From Mausoleum.

up Nuuanu avenue. It consisted of the removal of all the bodies from that therefrom. The occasion was the erwhich the Legislature of this year appropriated \$17,500.

There was a corollary of ancient 'Iawallan ceremony. Part of this was the use of torches outside the buildings to light the work, although there was electric lighting of the interiors. Beyoud the range of the torchlight the near landscape was dark to intensity. What with the electric gleam through the narrow windows and the glare of torches without, not to mention sombre and silent guards at the gate of the enclosure, any unsophisticated way-farer must have been strangely impressed. Queen Liliuokalani was present to watch the moving of the re-mains of her kindred. So were Prince and Princess Kalanianaole and former Governor A. S. Cleghorn, the Queet's brother-in-law, Curtis P. laukea had general charge of merations by the Queen's wishes, while John F. Colbun, who made the arrangements with the Superintendent of Public Works acted as clerk. Miss Lucy K. Peabody watched the proceedings as represen-tative of the Queen Emma branch of Others present were James

R. Lucas, contractors, There were also bands of retainers of the different royal lines, who chanted oliolis appropriate to the obsequier of allis.

H. Boyd, Mr. and Mrs. Henriques, Mor-

ris K. Keohokalole, D. Kalauokalani,

E. K. Lilikalani and Edmund Stiles,

together with Fritz Wilhelm and Thos.

It is stated as a strange fact, in keeping with native traditions of ele-mental sympathy with popular grief over departed high chiefs, that rain changed from the prevailing driz-zle to torrents while, and only while, The restriction in question is contained in Section 55 of the Organic cass Kalulani were being carried from one building into another.

To facilitate the transference of the coffins a platform had been built from the mausoleum to the temporary struc ture upon which a car was wheeled

contained in the caskets, in the tem-porary huliding which is situated at the Waikiki side of the mausoleum:

Makai.	Entrance.	Mauka.
		est of palls
Kalakaua	********	Kekaulike
Kapiolani .		Kelijahonui
Likelike	Po	omaikalani
Kalulani	*************	Namakeha
Leleiohoku		Kekeln
J. O. Domin	nis	Dr. Rooke
Kaiminaau	ao	tkui Rooke
Piikoi		Keoni Ana
Kamehame	haJan	e L. Kaeo
Keohokalol	ePete	r Y. Kaco
Empty squ	are boxR.	C. Wyllie

Kamehameha's casket contains what Kalakaua decided were the bones of the great conqueror and first king of the whole group which by conquest he

that of Wyllie, who was the first minister of foreign affairs of Hawaii, represent Queen Emma's family, her own side the mausoleum.

Keoni And stands for John Young. the Englishman and first premier of

Kawananakoa and the Delegate to Conlani their aunt. Namakeha was the first husband of

Queen Kapiolani, consort of Kalakaua. Leleioboku was a brother and Ka-

Architect Traphagen and Contractor Withelm will consult with them.

propriate treatment of the coral blocks will keep out worms and insects. These parasites have made great havoc with the interior woodwork of the mausowhen, if not excluded, they would attack the costly woods of the coffins. Outside the walls will be replastered and the roof retiled. Everything will

absolutely on sanitary lines High Sheriff Brown has detailed two mausoleum day and night.

CHOLERA INFANTUM should be guarded against, and prevented by treating the child at the first unusual oseness of the bowels. not be too careful about this, especially in hot weather. medicine ready for such an emergency. No better remedy is prepared than directed sale, the property and all Chamberlain's Colic, Cholera and Diarthereof involved in plaintiff in error's rhoen Remedy. Every household should have a bottle at hand. Get it today. It may save a life. Al! Dealers and The hearing on the writ of error is Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

keeper Turns Out Well.

The first term of the Circuit Court of Monday night a weird performance the First Judicial Circuit under the was enacted at the Royal Mauvoleum new law will be opened for business on Tuesday, September 8, next previous to that date being place of sepulture of royalty to a Labor Day, a public holiday. Grand temporary building erected a few yards jurors will come before Judge Gear on the opening day and trial jurors tensive repairs to the mausoleum for before Judge De Bolt, Gear and Robinson according to their respective

JAPANESE TRADING THRIFT.

A somewhat valuable estate of a dead Japanese merchant has just been administered, the final account being filed in court. It is that of Iwakichi Kato and the administerators are Kihu Kato and Yaichi Mitsuda. The receipts are \$16,220.47 and payments \$11,073.63, leaving a balance of \$5146.84. Of the receipts \$8426.02 was the net amount of a fire claim award after the expenses thereon of \$1047.03 had been paid. The store has been carried on and its stock in trade increased, and though there is indebtedness of \$1000 for new goods there are accounts due of \$2000. It is remarked in the statement that the widow as sole legatee is responsible for the new obligations. The whole exhibit is an instance of Japanese thrift in

ATTORNEY AND CLIENT.

Holmes & Stanley have filed a brief for defendant on demurrer in the case of Antonio Joaquin da Estrella vs. Charles M. Le Blond. It is an action possessing much general interest, being one brought against an attorney at law for negligence in failing to perfeet an appeal from the judgment the District Court of South Hilo, Hawall, rendered against de Estrella. The case is before the Circuit Court

of the First Circuit upon a demurrer to the jurisdiction, on the ground that the wrong alleged occurred within the limits of the Fourth Judicial Circuit. Under Act 58 of the laws of 1898, in force when the action was begun, ac tions for tort are triable only in the Circuit in which the alleged cause of action arises.

As counsel for plaintiff at the hearing admitted that the court had no jurisdiction over the action if it was one of tort, the whole force of the argument for the defendant in this brief is directed at showing that it is an action of tori. Comparisons are set up Following is a copy of a plan made as follows and a number of cases are by Mr. Colburn of the disposition of cited in support of the contention that the caskets and other receptacles, with the neglect of a client's interest by his the names of those whose remains are attorney is a case of wrong, whether a contract does or does not exist:

"Suppose in the absence of express contract an injury results to the guest of an innkecper through the latter's omission to keep the hall lighted, can anyone say that the innkeeper is not liable to an action in tort? Or that the presence of an express contract would take away the liability in tort? And the same is true where an injury results to a passenger through the negligence and omission of a common carrier. The fact that the relationship of innkeper and guest or of carrier and passenger arises from contract cannot purge the misfeasance or nonfeasance of its character of tort. And so in the case of attorney and client the contract gives rise to the relationship, but that once established the neg-Beent action or omission to act, although a breach of costrac, is a'so a Namakeha and the names below to tort and the basis of an action ex delicto."

It is contended that newhere in the emains being enclosed in a tomb out- bill of complaint is there an allegation of breach of contract, and it is asked why the plaintiff lays so much stress upon carelessness and negligence if Kekaulike was the mother of Prince this is intended as an action for breach of contract. Would not on allegation of the failure to appeal have been suffi-

KAKAAKO LEASFHOLD.

Argument on decourrer was heard in Co., The First American Savings & of whom died before her sister Likelike Moses Kelithuluhuiu and others, bill to The Government has considerately cancel lease, by Judge De Bolt yesterthe approval of plans for the in- day morning. In fact there were sevside renovation of the mausoleum to eral denurrers filed by different dethe members of the royal family. Both fendants represented separately by J. J. Dunne and Vivas & Bitting. One of A hard finish plaster will be used on the grounds was that the document in the inside of the walls, which with ap- question was not a lease at all but an assignment, and another that if the sause of action was a broken covenant as claimed the plaintiff had a remety leum and it was only a question of time at law. The plaintiffs leased a house lot at Kakaako from the Bishop estate, The floors will be renewed with tiles the instrument giving the lessees pow and the steps reconstructed of marble. er to sublease it, which they did with half the lot to Moses Kellihuluhulu. There was a condition that the sublessees could not lease to others, which policemen to watch the temporary the plaintiffs claim Moses did and thereby forfeited his own lease. Judge De Bolt took the densurrer under advisement.

Native Sons to Meet.

Manager Lake of the Alexander Young Hotel will open the makai dancing parlor for a meeting of the native sons of California who are invited to assemble there on Tuesday evening at 8 o'clock for the purpose of devising ways and means for the celebration of Admission Day, Sept. 9.

TURKS CARRY THE WAR INTO BULGARIA

Circassian Troops Pillage Three Villages and Murder the Residents.

(ASSOCIATED PRESS CABLEGRAMS.)

SOFIA, Bulgaria, Aug. 25.—The Turkish troops have carried their war against the Macedonian rebels into Bulgarian territory and grave consequences are feared. Today a large body of Circassian troops, recently brought into European Turkey from Asia Minor, followed the insurgents into Bulgaria and in the fighting that followed pillaged three Bulgarian villages, murdering the inhabitants. Many smaller conflicts are reported from all sections of Macedonia.

SQFIA, Aug. 27.—Seventy villages about Monastir have been destroyed by the Turks and the inhabitants subjected to revolting outrages. The insurgents at Keschevo, armed with quick-firing guns, slaughtered eighty soldiers of the enemy.

COLUMBUS, Nebraska, Aug. 25.—The fusion convention of Democrats and Populists held here today refused to nominate Associate Justice J. J. Sullivan for the Supreme Judgeship. He had carried on a big fight for the nomination and was previously elected Associate Justice of the Supreme Court of Nebraska by a fusion of Democrats and

BAKER CITY, Oregon, Aug. 25.-A stage running from this place was held up by a lone highwayman today and the passengers were relieved of their valuables, but the robber's haul was a small one, only sixty dollars being secured. The highwayman succeeded in making

CINCINNATI, Ohio, Aug. 25.-Mayor Tom L. Johnson, of leveland, won the preliminary contests today in the Democratic state onvention and is now in a position to dictate to the Democrats of the state the policy that shall be followed regarding the presidential election

CLEVELAND, Ohio, Aug. 25.—Senator M. A. Hanna is ill of stomach trouble but his condition is not thought to be serious.

OAKLAND, Aug. 25.-In the boxing contest here tonight Otts knocked out Irwin.

PORTLAND, Oregon, Aug. 25.—The plumbers of the city have gone on a strike.

WASHINGTON, D. C., Aug. 25 .- It has been officially announced. here that General Luke E. Wright, vice-Governor of the Philippines, will succeed Governor Taft when the latter assumes his new post as Secretary of War.

The new Governor will be a distinctively Roosevelt man. He is a Memphis, Tenn., man. He has been a member of the Philippine Commission and during Gov. Taft's absence from the Philippines a year ago acted as Governor for several months. Gen Wright is well known here as he has been in the islands in passing to and from the Philippines. In November of last year he was in Tennessee on a vacation. His friends there gave him a rousing reception and President Roosevelt was present at the home-coming and in a speech said: "I come here to-day to greet General Wright because it has been given him to render a peculiar service to the whole country. I say that General Wright, like Governor Taft and his associates, has rendered a peculiar service to every man jealous of the honor of the American name in what he has done in administering the Philippine islands. For fourteen months it has been part of my business to see how the work there was done. I am not speaking exaggeratingly; I am speaking literally, telling the bare naked truth, when I say that never during that time has a question of party politics entered into even the smallest action of those in control of the Philippines."

BELGRADE, Aug. 27.—King Peter has determined to suppress the malcontents. Five officers, discovered in a plot against him, have been condemned to death.

SYRACUSE, N. Y., Aug. 27.—Sisters Beata, and Leonida, Franciscans, are about to leave for Hawaii to care for the lepers at the Molokai Settlement.

PARIS, Aug. 27.—France and Russia have endorsed the gold standard for China but the other powers urge a preliminary uniform silver

WASHINGTON, Aug. 27.-A decision has been reached to reestablish the South Pacific squadron and equip it with four cruisers.

NEW YORK, Aug. 27.-The weather is unfavorable for a race today there being no wind.

SAN FRANCISCO, Cal., Aug. 26.—Prof. Martin Kellogg, former president of the University of California, died at his Berkeley home today. Prof. Kellogg was about 75 years of age, having spent the best years of his life at the Berkeley University.

CONSTANTINOPLE, Turkey, Aug. 26.-The Ottoman Government has ordered out the reserves, making 350 battalions in active service in troubled Macedonia. A concerted movement is planned to quell the the insurgent forces.

COLUMBUS, Ohio, Aug. 26.—Tom L. Johnson's complete hold on the Ohio Democratic Convention was displayed today when the delegates gave him the nomination for Governor by acclamation, Frank B. Miles of Toledo was nominated for Lieutenant Governor.